

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENANCIO CISNEROS-CARO,

Defendant.

Case No. 2:24-cr-00045-JAD-BNW

ORDER

Before the Court is Defendant Benancio Cisneros-Caro's Motion to Enforce Release Order. ECF No. 26. In February 2024, the Court released Cisneros-Caro pending trial on a personal recognizance bond subject to special conditions. ECF Nos. 11, 10. The Court ordered Cisneros-Caro to be placed in the custody of third-party custodian Jose Cisneros. ECF No. 10. However, Cisneros-Caro was not released, as the United States Marshals Service bound him over to the custody of Immigration and Customs Enforcement under an ICE detainer. *See* ECF No. 26 at 2. Upon investigation, defense counsel recently learned that Cisneros-Caro is back in USMS custody, and that his immigration case was administratively closed. *Id.*

Cisneros-Caro now seeks enforcement of the Court's February 2024 release order given that his immigration case is closed. *Id.* at 3–5. The Government does not oppose this request. ECF No. 28. The Court grants Cisneros-Caro's Motion and orders the USMS to release him on a PR bond under special conditions, as set forth in the Court's February 2024 release order. *See* ECF Nos. 10, 11. To the extent that Cisneros-Caro is subject to an ICE detainer—which it appears, based on the closing of his immigration case, that he is not—the USMS is directed to act in accordance with said detainer.

I. CONCLUSION


IT IS THEREFORE ORDERED that Cisneros-Caro's Motion to Enforce Release Order (ECF No. 26) is **GRANTED**.

IT IS FURTHER ORDERED that the USMS release Cisneros-Caro on the Court's

1 February 2024 PR bond under special conditions (ECF No. 11). Cisneros-Caro is to be released to
2 the custody of third-party custodian Jose Cisneros.

3 **IT IS FURTHER ORDERED** that the hearing presently scheduled for November 12,
4 2024 is **VACATED**.

5
6 DATED this 8th day of November 2024.

7
8 
9 BREND A WEKSLER
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28